

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ARBUTUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)

Plaintiffs,)

v.)

MODERNA, INC. and MODERNATX, INC.,)

Defendants.)

C.A. No. 22-252-JDW

MODERNA, INC. and MODERNATX, INC.,)

Counterclaim-Plaintiffs,)

v.)

ARBUTUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)

Counterclaim-Defendants.)

REDACTED - PUBLIC VERSION

**EXHIBITS A-F, I-J, O-P, R-S AND U-V TO THE
DECLARATION OF MARK C. MCLENNAN IN SUPPORT OF
Moderna's MOTION TO EXCLUDE THE EXPERT OPINIONS OF
CATHARINE LAWTON, GEORG SCHUSTER, PH.D., MICHAEL MITCHELL, PH.D.,
PETER J. PITTS, AND ALEX M. BRILL**

VOLUME 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ARBUTUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)

Plaintiffs,)

v.)

MODERNA, INC. and MODERNATX, INC.,)

Defendants.)

C.A. No. 22-252-JDW

MODERNA, INC. and MODERNATX, INC.,)

Counterclaim-Plaintiffs,)

v.)

ARBUTUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)

Counterclaim-Defendants.)

**EXHIBITS A-F, I-J, O-P, R-S AND U-V TO THE
DECLARATION OF MARK C. MCLENNAN IN SUPPORT OF
MODERNA'S MOTION TO EXCLUDE THE EXPERT OPINIONS OF
CATHARINE LAWTON, GEORG SCHUSTER, PH.D., MICHAEL MITCHELL, PH.D.,
PETER J. PITTS, AND ALEX M. BRILL**

I, Mark C. McLennan, hereby declare and state as follows:

1. I am over the age of eighteen and, if called as a witness, could competently testify to the matters set forth herein.

2. I am an attorney at Kirkland & Ellis LLP, and counsel to Defendants and Counterclaim-Plaintiffs Moderna, Inc. and ModernaTX, Inc. ("Moderna") in this matter.

3. I make this declaration in support of Moderna's *Daubert* Motion to Exclude the Expert Opinions of Catharine Lawton, Georg Schuster, Ph.D., Michael Mitchell, Ph.D., Peter J. Pitts, and Alex. M. Brill.

4. Attached as Exhibit A is a true and correct copy of the November 25, 2024 Expert Report of Catharine M. Lawton, with accompanying Exhibits A and B, and excerpts of the accompanying Schedules.

5. Attached as Exhibit B is a true and correct copy of the February 14, 2025 Rebuttal Expert Report of Catharine M. Lawton.

6. Attached as Exhibit C is a true and correct copy of the March 21, 2025 Reply Expert Report of Catharine M. Lawton.

7. Attached as Exhibit D is a true and correct copy of the April 30, 2025 Deposition Transcript of Catharine Lawton.

8. Attached as Exhibit E is a true and correct copy of the November 25, 2024 Opening Expert Report of Dr. Michael Mitchell.

9. Attached as Exhibit F is a true and correct copy of the March 21, 2025 Reply Expert Report of Dr. Michael Mitchell.

10. Attached as Exhibit I is a true and correct copy of excerpts from the February 11, 2025 Rebuttal Expert Report of Owen Shea Fenton, Ph.D.

11. Attached as Exhibit J is a true and correct copy of excerpts from the February 14, 2025 Rebuttal Expert Report of Robert Prud'homme, Ph.D.

12. Attached as Exhibit O is a true and correct copy of excerpts from the May 8, 2024 Deposition Transcript of Joseph Alan Schariter II.

13. Attached as Exhibit P is a true and correct copy of excerpts from the June 7, 2024 Deposition Transcript of Donald M. Parsons.

14. Attached as Exhibit R is a true and correct copy of a Genevant Sciences GmbH license bearing bates GENV-00023616 through GENV-00023663.

15. Attached as Exhibit S is a true and correct copy of a Genevant Sciences GmbH license bearing bates GENV-00022307 through GENV-00022416.

16. Attached as Exhibit U is a true and correct copy of the March 19, 2025 Reply Expert Report of Dr. Georg Schuster.

17. Attached as Exhibit V is a true and correct copy of the January 28, 2025 Supplemental Opening Expert Report of Catherine M. Lawton with Amended Lawton Schedule 6.1.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED in New York, New York, this 7th day of November 2025.

/s/ Mark C. McLennan
Mark C. McLennan

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on December 16, 2025, upon the following in the manner indicated:

John W. Shaw, Esquire
Karen E. Keller, Esquire
Nathan R. Hoeschen, Esquire
Emily S. DiBenedetto, Esquire
SHAW KELLER LLP
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
*Attorneys for Plaintiffs Arbutus Biopharma
Corporation and Genevant Sciences GmbH*

VIA ELECTRONIC MAIL

Daralyn J. Durie, Esquire
Adam R. Brausa, Esquire
Eric C. Wiener, Esquire
Annie A. Lee, Esquire
Shaelyn K. Dawson, Esquire
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
*Attorneys for Plaintiff Arbutus Biopharma
Corporation*

VIA ELECTRONIC MAIL

Kira A. Davis, Esquire
MORRISON & FOERSTER LLP
707 Wilshire Boulevard
Los Angeles, CA 90017-3543
*Attorneys for Plaintiff Arbutus Biopharma
Corporation*

VIA ELECTRONIC MAIL

David N. Tan, Esquire
MORRISON & FOERSTER LLP
2100 L Street, NW, Suite 900
Washington, DC 20037
Attorneys for Plaintiff Arbutus Biopharma Corporation

VIA ELECTRONIC MAIL

David I. Berl, Esquire
Adam D. Harber, Esquire
Thomas S. Fletcher, Esquire
Shaun P. Mahaffy, Esquire
Andrew L. Hoffman, Esquire
Matthew W. Lachman, Esquire
Ricardo Leyva, Esquire
Arthur J. Argall III, Esquire
Falicia Elenberg, Esquire
Kathryn Larkin, Esquire
WILLIAMS & CONNOLLY LLP
680 Maine Avenue S.W.
Washington, DC 20024
Attorneys for Plaintiff Genevant Sciences GmbH

VIA ELECTRONIC MAIL

Andrei Iancu, Esquire
Jeffrey B. Wall, Esquire
SULLIVAN & CROMWELL LLP
1700 New York Avenue, N.W., Suite 700
Washington, DC 20006
Attorneys for Plaintiff Genevant Sciences GmbH

VIA ELECTRONIC MAIL

/s/ Travis J. Murray

Travis J. Murray (#6882)